

REMARKS/ARGUMENTS

Applicant has amended the claims in response to the office action for the sake of advancing prosecution. Support for the claim amendments is discussed below in Applicant's response to each rejection.

35 USC Section 112 – Indefiniteness

The Examiner rejected Claims 101-105 under 35 USC Section 112 as indefinite due to the use of the term "a volatile organic compound" to describe both isobutyric acid and 2-methyl-1-butanol. Applicant has corrected this language so that the claim now refers to "volatile organic compounds." Therefore, Applicant respectfully requests withdrawal of this rejection.

35 USC Section 112 – New Matter Rejection

The Examiner also rejected Claims 101-105 under 35 USC Section 102 as lacking sufficient written description, asserting that the ranges set forth in the claim cannot be readily identified in the application. To address this rejection, Applicant has amended the claims so that the claim language corresponds directly to the compositions described in Table 8 on pages 32-33 of the specification. The new claim language, referring to volatile organic compounds comprising about 5% isobutyric acid, corresponds to all of the compositions in Table 8, which, as the Examiner notes, each contain 3 ul of isobutyric acid. As described in the text of Example 10, *Rhizoctonia solani* is exposed to a composition comprising 60 ul total of volatile organic compounds. In particular, paragraph 95 indicates that the mixture contained "28.5 ul 2-methyl-1-butanol, 28.5 ul propionates and 3 ul isobutyric acid." This text, in conjunction with the Table, makes

clear that the tested mixtures had a total volume of 60 ul and contained 5% by volume isobutyric acid.

Similarly, Table 8 shows that effective mixtures contain varying amounts of 2-methyl-1-butanol. Specifically, lines 11, 12, and 13 of the table describe a mixture containing 47.5% 2-methyl-1-butanol by volume, lines 19 and 20 describe a mixture containing 31.7% 2-methyl-1-butanol by volume, and lines 22 and 23 describe a mixture containing 23.7% 2-methyl-1-butanol by volume. Applicant believes that the claims, as amended, are clearly supported by the specification and respectfully requests withdrawal of this rejection.

PATENT

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CONCLUSION

Applicant has enclosed a petition for a three-month extension of time to reply to the office action and a check to cover the required fees. In addition, Applicant has enclosed a request for continued examination and a check to cover the required fees.

In light of the above amendments and remarks, Applicant believes that each of the presently pending claims in this application is in condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. The Examiner is invited to call the undersigned at the number provided below in order to discuss any aspect of this response.

Respectfully submitted,

Dated: 6/18/2009
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